

**TITLE 326 AIR POLLUTION CONTROL BOARD****Final Rule**

LSA Document #11-742(F)

**DIGEST**

Amends [326 IAC 1-4-20](#), [326 IAC 1-4-27](#), [326 IAC 1-4-46](#), [326 IAC 1-4-64](#), [326 IAC 1-4-65](#), [326 IAC 1-4-74](#), [326 IAC 1-4-83](#), and [326 IAC 1-4-88](#) concerning the redesignation of northwest Indiana and southwest Indiana to attainment for the annual PM<sub>2.5</sub> standard, including Lake County and Porter County (Indiana portion of the Greater Chicago area); and Dubois County, part of Gibson County including Montgomery Township, part of Pike County including Washington Township, part of Spencer County including Ohio Township, Vanderburgh County and Warrick County (Evansville area). Effective 30 days after filing with the Publisher.

**HISTORY**

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): December 21, 2011, Indiana Register (DIN: [20111221-IR-326110742FDA](#)).

Notice of Hearing: December 21, 2011, Indiana Register (DIN: [20111221-IR-326110742PHA](#)).

Change in Notice of Public Hearing: March 7, 2012, Indiana Register (DIN: [20120307-IR-326110742CHA](#)).

Date of Hearing: May 2, 2012.

[326 IAC 1-4-20](#); [326 IAC 1-4-27](#); [326 IAC 1-4-46](#); [326 IAC 1-4-64](#); [326 IAC 1-4-65](#); [326 IAC 1-4-74](#); [326 IAC 1-4-83](#); [326 IAC 1-4-88](#)

SECTION 1. [326 IAC 1-4-20](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-20](#) Dubois County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 20. The following attainment status designations are applicable to Dubois County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour <b>ozone</b> standard. <sup>1</sup>
<b>PM<sub>2.5</sub></b>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-20](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 2. [326 IAC 1-4-27](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-27](#) Gibson County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 27. The following attainment status designations are applicable to Gibson County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard for Montgomery Township.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-27](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 3. [326 IAC 1-4-46](#) IS AMENDED TO READ AS FOLLOWS:

#### **[326 IAC 1-4-46](#) Lake County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#)

Sec. 46. The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148 <sup>th</sup> Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O <sub>3</sub>	Attainment effective May 11, 2010, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective February 6, 2012, for the annual PM<sub>2.5</sub> standard.</b>
PM <sub>10</sub>	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-46](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Oct 15, 2010, 1:51 p.m.: [20101110-IR-326100342FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 4. [326 IAC 1-4-64](#) IS AMENDED TO READ AS FOLLOWS:

#### **[326 IAC 1-4-64](#) Pike County**

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 64. The following attainment status designations are applicable to Pike County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard for Washington Township.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-64](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 5. [326 IAC 1-4-65](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-65](#) Porter County**

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#)

Sec. 65. The following attainment status designations are applicable to Porter County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective May 11, 2010, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective February 6, 2012, for the annual PM<sub>2.5</sub> standard.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-65](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Oct 15, 2010, 1:51 p.m.: [20101110-IR-326100342FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 6. [326 IAC 1-4-74](#) IS AMENDED TO READ AS FOLLOWS:

**326 IAC 1-4-74 Spencer County****Authority:** [IC 13-14-8](#); [IC 13-17-3](#)**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 74. The following attainment status designations are applicable to Spencer County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard for Ohio Township.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-74](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 7. [326 IAC 1-4-83](#) IS AMENDED TO READ AS FOLLOWS:

**326 IAC 1-4-83 Vanderburgh County****Authority:** [IC 13-14-8](#); [IC 13-17-3](#)**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 83. The following attainment status designations are applicable to Vanderburgh County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective January 30, 2006, for the Evansville area, including Vanderburgh County, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Attainment effective October 18, 2000, for the 1-hour ozone standard for the Evansville area, including Vanderburgh County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005.	

**\*These documents are incorporated by reference. Copies referenced in this section may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana**

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(Air Pollution Control Board; [326 IAC 1-4-83](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

SECTION 8. [326 IAC 1-4-88](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-88](#) Warrick County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 88. The following attainment status designations are applicable to Warrick County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective January 30, 2006, for the Evansville area, including Warrick County, for the 8-hour ozone standard. <sup>1</sup>
<b>PM<sub>2.5</sub></b>	<b>Attainment effective October 27, 2011, for the annual PM<sub>2.5</sub> standard.</b>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

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(Air Pollution Control Board; [326 IAC 1-4-88](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#))

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Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20111221-IR-326110742FDA](#)

Hearing Held: May 2, 2012

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